

**PETITION FOR REVIVAL OF AN INTERNATIONAL
APPLICATION FOR PATENT DESIGNATING THE U.S.
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Atty. Docket Number

93099002

First Named Inventor:

International (PCT) Application No.: PCT/IB02/03589

U.S. Application. No.

10/540,375

Filed: 9/5/02

Title: TURBOCHARGER COMPRISING A VARIABLE NOZZLE DEVICE

Mail Stop PCT

Attention: PCT Legal Staff

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

The above-identified application became abandoned as to the United States because the fees and documents required by 35 U.S.C. § 371(c) were not filed prior to the expiration of the time set in 37 CFR 1.495(b) or (c) as applicable. The date of abandonment is the day after the date on which the 35 U.S.C. § 371(c) requirements were due. See C.F.R. 1.494(g) or 1.495(h).

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee
- (2) Proper reply
- (3) Terminal disclaimer with disclaimer fee which is required for all applications having an international filing date before June 8, 1995; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee

- ☐ Small entity fee \$750.00 (37 CFR 1.17(m))
Applicant claims small entity status.
- ☒ Other than small entity - fee \$1,500.00 (37 CFR 1.17(m))

2. Proper reply

- A. The proper response (the missing 35 U.S.C. § 371(c) requirements) in the form of (identify type of reply):
- ☐ has been filed previously on
- ☒ Is enclosed herewith. (Transmittal letter to US Designated Office Concerning a Submission under 35 U.S.C. 371)

3. Terminal Disclaimer with disclaimer fee

☒ Since this application has an international filing date on or after June 8, 1995, no terminal disclaimer is required.

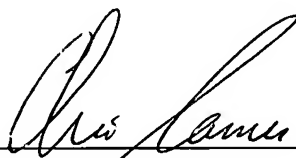
☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$65.00 for a small entity or \$130.00 for other than a small entity) disclaiming the required period of time is enclosed herewith.

4. Statement. The entire delay in filing the required reply from the due date of the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional.

Also enclosed is a Decision of Office of PCT Legal Administration (explaining the background of Applicant's inadvertent errors in previous filing)

7/10/06

Date


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Date of Deposit

I hereby declare that this correspondence is being deposited with the United States Postal Service as First Class Mail to Addressee service under 37 CFR 1.10 on the date indicated above and is addressed to the Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Sausee)	Docket No.: 930999002
)	
Serial No. 10/540,375)	Group Art Unit: tbd
)	
Title: Turbocharger Comprising A)	Examiner: To be assigned
Variable Nozzle Device)	
)	
Int'l Filing date: 9/5/02)	

Torrance, California 90505
7/10/06

PETITION FEE UNDER 37 CFR 1.17(m))

Hon. Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Hon. Commissioner:

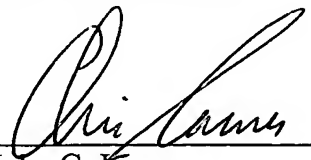
Please charge the \$1500.00 surcharge under 37 C.F.R. §1.17(m) for filing The
Petition for Revival of an International application for Patent Designating the U.S.
Abandoned Unintentionally Under 37 CFR 1.137(b).

Please charge deposit account No. 01-1125 for the above fees. Also, please
charge any extra fees required or credit any over payments to the deposit account No. 01-
1125 as well.

08/31/2006 SBASHEIR 00000009 011125 10540375
\$1 FC:1453 1500.00 DA

Respectfully submitted,

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